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July 11, 2022

Via Electronic Filing

The Honorable Vera M. Scanlon, U.S.M.J.
U.S. District Court, Eastern District of New York
225 Cadman Plaza East
1214 South Brooklyn, New York 11201

Re: *Jacques v. Livonia Express Grocery Inc. et al*
Case No.: 1:22-cv-02228-CBA-VMS

Dear Honorable Magistrate Judge Scanlon:

This law firm represents Plaintiff Aramus Jacques (the “Plaintiff”) in the above-referenced matter.

Pursuant to Your Honor’s Individual Motion Practice Rules and the directives contained in Your Honor’s April 21, 2022 and July 8, 2022 orders [Dckt. Nos. 8, 15], this letter respectfully serves to provide the Court with a status update in the above-referenced action.

This is an action under the Fair Labor Standards Act, 29 U.S.C. §§ 201 et seq. (“FLSA”) and Articles 6 and 19 of the New York State Labor Law (“NYLL”), brought by an individual against his former employers for violations of federal and state wage-and-hour laws.

Defendants Livonia Express Grocery Inc., Livonia Food Corp. Livonia Food Corp. V (collectively, the “Corporate Defendants”), Kamal Uddin, and Alan “Doe” (together, the “Individual Defendants”, and collectively with the Corporate Defendants, the “Defendants”) own and operate a retail store located at 618 Livonia Ave. Brooklyn, NY 11207 where Plaintiff worked as a general worker from February 2020 through February 2021.

To accomplish their business goals, Defendants pay their general workers, including Plaintiff, a flat weekly salary, regardless of how many hours they work per week. Plaintiff alleges wage and hour violations under FLSA and NYLL for, *inter alia*, unpaid minimum wages, overtime compensation, spread-of-hours, and violations of the notice and record keeping requirements of the New York Wage Theft Prevention Act. [See Dckt. No. 1].

As of the date of this filing, Defendants have not appeared in this action. Despite their failure to appear, Defendants have both constructive and actual knowledge of the instant lawsuit. [See Dckt. Nos. 9-14].

A Clerk’s Entry of Default was entered on July 1, 2022 [Dckt. No. 14]. Plaintiff is in the process of drafting a motion for default judgment.

Thank you, in advance, for your time and consideration.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi

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VIA ECF: All Counsel